



Atty. Docket No. LAC03 P320

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

December 7, 2006 Kimberley J. Cousineau
Date Kimberley J. Cousineau

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3617
Examiner : Bellinger, Jason R.
Applicant : Philip O. Gerard
Appln. No. : 10/689,229
Filing Date : October 20, 2003
Confirmation No. : 4066
For : WHEEL CLAD ASSEMBLY

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed August 7, 2006 finally rejecting claims 1, 3, 6-13, 16, 18, 20, 22-32 and 35.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. §41.20(b)(2) the fee for filing the Notice of Appeal is:

☐ small entity
☒ other than a small entity

Notice of Appeal fee due: \$500.00

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3. EXTENSION OF TIME

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee: \$500.00

5. FEE PAYMENT

☒ Attached is a check in the sum of \$500.00

☐ Charge Account No. 16 2463 the sum of \$
A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

☒ If any additional extension and/or fee is required charge, Account No. 16 2463.

and/or

☒ If any additional fee for claims is required, charge Account No. 16 2463.

Respectfully submitted,

By: Price, Heneveld, Cooper,
DeWitt & Litton, LLP



Dated: December 7, 2006

Brian E. Answorth
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BEA:kjc